

National Incident Management System Intelligence/Investigation Function Guidance
Comment Form
Docket ID FEMA-2008-0016



Organization: New York City Fire Department Contact information: Joseph W. Pfeifer				
PAGE	LINE	TYPE OF CHANGE	PROPOSED CHANGE	RATIONALE
2	41-48	C	Delete	Resource management is not a function of I/I. It is a function of Planning and Logistics to meet the IC/UC objectives.
3	14	C	Delete	See page 4 comments below.
4	1-3	C	Delete Figure	The figure is incorrect: Site management is a function of Command/Operations and is not an I/I function. Incident Command starts immediately with the occurrence of the event. Life safety runs the entire event and does not stop at the end of operations. New York City's figures or any other Cities' diagram of what they believe is ICS, should not be included in a National policy.
5	8-9	C	Delete	Life safety is a function of command. Security is a function of the Law Enforcement branch and not an I/I function. This is mission creep.
5	10	C	Delete	This is a Law Enforcement branch and not an I/I function. Again this is mission creep.
6	25-31	C	Move to the operations section	If information is sensitive to life saving operations it must be placed under Operations Section to ensure timely information sharing and coordination. Having a separate section is contrary to the definition of creating an I/I branch in Operations. Cf. p.8.
9-10	3-22 1-23	C	Delete vignette 4 and 5	See General comments below.
11	36-39	C	Whenever possible, constant coordination will be required to ensure that evidence recovery does not conflict with operational objective. Life safety issues will take priority over investigative operations.	The original writing should be reversed. I/I are a supportive function to life safety as the priority. Word is changed to emphasize life safety.
13	20	C	Delete	This is a function of the Planning Section.
13	41-42	C	Delete	Coordinating is a function of Operations and not the forensic group.

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14	21-22	C	Subject to available personnel resources, the Group supervisor may wish to appoint a subordinate to complete the following tasks for the Intelligence and Investigation activities.	This wording is confusing. Any managing or coordinating is for the I/I group only and should not be able to be construed as anything more.
18	27-28	C	Ensure that Intelligence and Investigation resources that respond directly to the incident scene (both initially and in later deployments) are:	This wording is confusing. Any control is for the I/I group only and should not be able to be construed for other emergency responders including law enforcement.
18	32	C	Delete	Wearing the proper PPE is a Safety function.
18	38-39	C	Request the necessary and appropriate Intelligence and Investigation resources and ensure there is a controlled response of these resources.	The wording is confusing. Clarify that this is for I/I resources only.
18	42-43	C	Delete	Setting incident objectives, strategies and priorities are a function of Command.
20	6-7	C	For coordination increase.	The emphasis should be on coordination and not conflict.
21	31	C	Components of the IAP.	The following four lines are deleted. See below.
21	32-33	C	Delete	These lines are not necessary and are confusing. Deleting them will clarify that we are referring to I/I only.
23	8-9	C	Ensure Intelligence and Investigation resources that initially responded directly to the incident scene, as well as Intelligence and investigation later requested, are:	The wording is confusing. Clarify that this is for I/I resources only.
23	13-14	C	Delete	Wearing the proper PPE is a Safety function.
24	1	C	When necessary, specifically request personnel to thoroughly search the location where the	I/I are not Command. I/I must go through the chain of command and not unilaterally assign people.
24	4	C	When necessary, specifically request personnel to provide force protection/security regarding	I/I are not Command. I/I must go through the chain of command and not unilaterally assign people.
24	8	C	Functions, and activities are implemented for intelligence and investigation personnel.	The wording is confusing. Clarify that this is for I/I resources only.
26	36	C	Ensure the “need to share” sensitive information...	There must be a balance between the “need to share” and the “need to know”.
30	10	C	Properly document the appropriate information regarding intelligence and investigation	The wording is confusing. Clarify that this is for I/I resources only.

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			resources.	
30	11	C	Categorize and separate Intelligence and Investigation responding personnel based upon one or more of the	The wording is confusing. Clarify that this is for I/I resources only.

General Comments:

Creating a separate Intelligence/Investigation Section in NIMS produces the conditions for a “parallel commands”, where some emergency responders separate themselves by function and distance from other responders. The intent of the 9/11 Commission and its endorsement of a National Incident Command System is to avoid the mistakes of past major events where emergency responders did not collaborate and coordinate with each other. Parallel Commands are very dangerous and step must be taken to eliminate it.

A large Intelligence/Investigative function should be a Branch under Operations and not a Section. This will allow for better coordination and the sharing of information with those operating at the scene. A Branch under the Operations Section creates better coordination with Operations, Planning, Logistics and Finance Sections. If information is “sensitive to life saving operations” it must be placed under Operations Section to ensure timely information sharing and coordination. Having a separate section is contrary to the definition of creating an I/I branch, which is used for a “high degree of linkage and coordination.” An I/I Branch would be better able to coordinate activities with other branches such as fire, law enforcement and health. A separate section would by-pass Operations causing confusion at the scene of an incident. I strongly recommend that a separate Intelligence and Investigative General Staff Section should be eliminated from NIMS.

Furthermore, the Intelligence/Investigation Function Guidance document is filled with “mission-creep”, which weakens the NIMS and confuses emergency responders. All reference to activities in this document should be directed to the Intelligence/Investigation group only. There should be no doubt that activities such as determining PPE, credentialing, force protection, resource management, etc are not a function of I/I except, in reference to the I/I group and must be coordinated with Command and General staff. Intelligence and Investigation is an important part of Operations especially at an incident of National Significance, however, it should not be a separate sections with ambiguous functions.

Recommendations: 1) eliminate the Intelligence/Investigation Section; 2) clarify the language that it refers to only the I/I group and not to other components of NIMS or the duties of a law enforcement branch.